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Attorneys for Defendant ERNST & YOUNG LLP

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 (SAN JOSE DIVISION)  
17

18 DAVID HO, on behalf of himself and others  
19 similarly situated and on behalf of the  
20 general public and DOES 1-20

Plaintiff,

v.

ERNST & YOUNG, LLP

Defendant.

Case No. C 05-04867-HRL

**PARTIES' JOINT STIPULATION  
REQUESTING EXTENSION OF EARLY  
NEUTRAL EVALUATION DEADLINE  
AND PROPOSED ORDER**

1 The parties to the above-entitled action jointly submit this Stipulation and  
2 Proposed Order and request the Court to adopt it, as appropriately determined by the  
3 Court, to modify its Case Management Order in this case.

4 WHEREAS the parties have been cooperating to schedule the deposition of  
5 Plaintiff David Ho; and

6 WHEREAS the deposition is currently scheduled to take place on July 10, 2006;  
7 and

8 WHEREAS the parties have been cooperating to schedule a private mediation  
9 session before a mutually acceptable neutral; and

10 WHEREAS the availability of the selected neutral and the parties and their  
11 counsel seems likely to interfere with completion of the early neutral evaluation before  
12 the previously stipulated and ordered deadline of July 21, 2006:

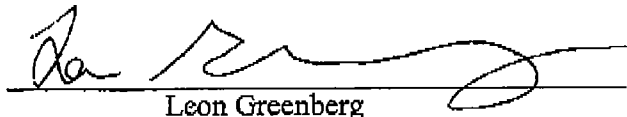
13 THEREFORE the parties stipulate and agree that they will use best efforts to  
14 schedule a private mediation to occur in August 2006; and

15 The parties concur in respectfully requesting that the Court extend the deadline to  
16 participate in a mediation session to August 31, 2006.

17 Respectfully submitted,

18 Dated: June \_\_, 2006

THIERMAN LAW FIRM

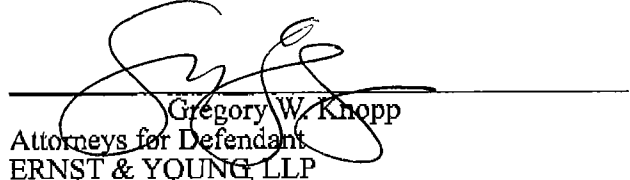
19  
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Leon Greenberg

Attorneys for Plaintiff  
DAVID HO

21  
22 Dated: June 30, 2006

AKIN GUMP STRAUSS HAUER & FELD LLP

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24   
25 Gregory W. Knopp  
Attorneys for Defendant  
ERNST & YOUNG, LLP

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/12/06



UNITED STATES DISTRICT/MAGISTRATE JUDGE